

BILL ANALYSIS

Senate Research Center
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S.B. 1796
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Veteran Affairs & Military Installations
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

As proposed, S.B. 1796 amends current law relating to the creation of the Texas Veterans Council.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 531, Government Code, by adding Subchapter S, as follows:

SUBCHAPTER S. TEXAS VETERANS COUNCIL

Sec. 531.751. DEFINITIONS. Defines, in this subchapter, "council" and "servicemember."

Sec. 531.752. TEXAS VETERANS COUNCIL. (a) Provides that the Texas Veterans Council (council) is established to:

- (1) provide guidance to and coordinate health and human services systems that assist servicemembers and their families;
- (2) ensure that servicemembers and their families are aware of and have access to needed services;
- (3) improve the efficiency and effectiveness of state, federal, and local agencies and of advisory councils in addressing issues affecting the health and well-being of servicemembers and their families;
- (4) prioritize and mobilize resources for servicemembers, including state appropriations for veterans' health and human services; and
- (5) facilitate an integrated, efficient approach to identifying and providing outreach to servicemembers and their families, including web-based outreach and outreach through local community events.

(b) Requires the council to:

- (1) promote a common vision of desired outcomes for servicemembers and their families and encourage shared accountability for achieving those outcomes;
- (2) align allocations of resources with evidence-based policies that promote the health, well-being, and community reintegration of servicemembers and their families; and

(3) sustain, formalize, and guide collaborative relationships between state, federal, and private agencies and veterans service organizations.

(c) Provides that subject to Subsection (d), the council is composed of the following:

(1) the executive commissioner of the Health and Human Services Commission (executive commissioner);

(2) the executive director of the Texas Veterans Commission (TVC);

(3) the commissioner of the General Land Office;

(4) the adjutant general;

(5) the director of the Texas Correctional Office on Offenders with Medical or Mental Impairments;

(6) a representative of the United States Veterans Health Administration;

(7) at least one licensed physician, licensed psychologist, or other licensed mental health professional, with demonstrated expert knowledge in the evidence-based treatment of trauma induced by war, appointed by the executive commissioner;

(8) one or more servicemembers appointed by the executive commissioner who work in the delivery of services to veterans, active servicemembers, or their families;

(9) a representative of the United States Department of Defense stationed in this state with expert knowledge of the treatment provided to servicemembers by federal agencies; and

(10) other representatives of health and human services agencies, appointed by the executive commissioner.

(d) Authorizes an individual listed in Subsections (c)(1)-(5) to designate another individual as having authority to act on behalf of the individual at council meetings and with respect to council functions.

(e) Authorizes an organization or agency not represented by an individual listed in Subsections (c)(1)-(10) that provides services to servicemembers and their families to participate in and contribute to the performance of the council's duties through procedures established by the council.

(f) Requires the members of the council annually to elect one member to serve as the presiding officer.

(g) Provides that council meetings are held at the call of the presiding officer.

(h) Provides that the council is administratively attached to the Health and Human Services Commission (HHSC) but is independent of direction by HHSC or the executive commissioner. Authorizes HHSC to provide administrative support and resources to the council as necessary to enable the council to perform its duties.

(i) Authorizes the state agencies represented on the council to provide staff support as needed to the council.

(j) Provides that the council is not subject to Chapter 2110 (State Agency Advisory Committees).

(k) Provides that a member of the council is not entitled to compensation, but is entitled to reimbursement of the member's travel expenses as provided in the General Appropriations Act for state employees.

Sec. 531.753. DUTIES. (a) Requires the council to:

- (1) identify appropriations, including appropriations for initiatives that maximize access to United States Veterans Health Administration resources, that may be modified in the next legislative appropriation requests to eliminate waste or increase available services and, not later than May 1 of each even-numbered year, prepare a report recommending those modifications for consideration during the development of the next biennial legislative appropriations request;
- (2) promote and coordinate initiatives that guide servicemembers and their families to appropriate federal, state, and local resources;
- (3) identify methods to improve case management services provided by a veterans county service officer through additional training, increased productivity, and additional resources;
- (4) identify methods to ensure that servicemembers receive appropriate assessment, diagnoses, and intervention services;
- (5) identify and promote effective methods of serving the needs of female servicemembers, including the identification and treatment of victims of military sexual trauma;
- (6) identify methods to promote health and sustainability of the families of servicemembers; and
- (7) promote servicemember involvement in the planning and provision of health and human services for servicemembers and their families.

(b) Authorizes the state agency members of the council to, as appropriate, enter into memoranda of understanding with other agencies to implement any method, process, policy, or recommendation identified or developed under Subsection (a). Requires the council, before a method, process, policy, or recommendation is implemented, to:

- (1) identify the timeline and proposed outcome of implementing the method, process, policy, or recommendation, and benchmarks that are authorized be used to measure the success of the implementation of the method, process, policy, or recommendation; and
- (2) assign to the appropriate members of the council responsibility for implementing the method, process, policy, or recommendation.

(c) Authorizes the council to collect data necessary to conduct the council's duties or implement the council's recommendations and requires the council to use any reports or information produced by other entities related to servicemembers and their families to inform the council.

Sec. 531.754. GIFTS, GRANTS, AND DONATIONS. Authorizes the council to accept gifts, grants, and donations from any public or private source, including grants and other money from TVC, the Department of State Health Services, or other state agencies and institutions of higher education, to pay expenses incurred in performing its duties under this subchapter.

Sec. 531.755. REPORT BY COUNCIL. Requires the council, not later than December 1 of each even-numbered year, to submit a report to the governor, lieutenant governor, speaker of the house of representatives, and members of the legislature that contains:

(1) the requests, plans, and recommendations of the council, including recommendations of any legislation that is needed to further develop and maintain a statewide system of quality health care and human services for servicemembers and their families; and

(2) information regarding the implementation by the members of the council of any method, process, policy, or recommendation, including information regarding whether the implementation has proceeded in accordance with the timeline, outcome, and benchmarks identified by the council.

Sec. 531.756. SUNSET PROVISION. Provides that the council is subject to Chapter 325 (Texas Sunset Act). Provides that unless continued in existence as provided by that chapter, the council is abolished and this subchapter expires September 1, 2017.

SECTION 2. (a) Requires the executive commissioner to appoint the members of the council as required by Sections 531.752(c)(7), (8), and (10), Government Code, as added by this Act, not later than September 30, 2011.

(b) Requires the council, established by Section 531.752, Government Code, as added by this Act, to convene its initial meeting not later than November 1, 2011.

SECTION 3. Provides that this Act does not make an appropriation. Provides that a provision in this Act that creates a new governmental program, creates a new entitlement, or imposes a new duty on a governmental entity is not mandatory during a fiscal period for which the legislature has not made a specific appropriation to implement the provision.

SECTION 4. Effective date: upon passage or September 1, 2011.